

MEMO ENDORSED

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June 9, 2020

Honorable Valerie Caproni
United States District Court
Southern District of New York
Submitted via ECF

Trader v. Seatgeek Inc., Case No. 20-cv-3248-VEC

Your Honor,

Counsel for the Plaintiffs in the above-captioned matter write to seek an adjournment of the Initial Pretrial Conference set for June 12, 2020 at 10:30 a.m. (as well as the corresponding filings). The reasons for the requested adjournment are that: 1) The complaint in this case was amended on May 18, 2020 in response to concerns raised by counsel for Defendant prior to service. Plaintiffs have not yet effected service on Defendant, though Plaintiffs' counsel have been in contact with Defendant's counsel since May 6 regarding waiver of service and believe that an agreement thereon will be reached shortly; 2) Plaintiffs' counsel did not distribute the Notice of Initial Pretrial Conference to counsel for Defendant in time for a timely IPTC joint submission and conference preparation, for which they take full responsibility¹ and for which Defendant and its counsel bear none; 3) Plaintiffs are among six movants who are seeking transfer of this case Pursuant to 28 U.S.C. § 1407 and Judicial Panel on Multi-District Litigation ("JPML") Rule 6,

¹ Plaintiffs' Counsel sincerely apologizes to the Court for this oversight and wishes to assure the Court that it will not be repeated.

which motion is presently pending before the JPML (MDL No. 2951). It is possible that the IPTC will therefore be rendered unnecessary.

There have been no previous requests for adjournment or extension of time of any kind in this matter. Plaintiffs propose and, subject to and without waiving its contention that Plaintiffs are required to arbitrate this dispute, Defendant does not oppose the following potential dates for the IPTC: September 4, 11, or 18, 2020. These dates would allow time for the JPML to determine whether the case will be transferred prior to the IPTC.

Application GRANTED. The initial pretrial conference is adjourned to **September 18, 2020 at 10:00 a.m.** The parties' joint submissions are due by **September 10, 2020.**

SO ORDERED.



HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

6/9/2020

Respectfully submitted,

Liddle & Dubin, P.C.

s/ Nicholas A. Coulson
Nicholas A. Coulson